

The law makes certain that the richest Nation in this great world of ours never again turns its back on the despair, helplessness, and many times hopelessness and suffering of the least among us. It guarantees no insurance company will ever again be putting a pricetag on human life.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Senator GRASSLEY be allocated 45 minutes of the Republican time during the debate on H.R. 3606.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

JOBS ACT

Mr. MCCONNELL. Mr. President, later today the Senate will take up and attempt to pass the JOBS Act. So we find ourselves once again on the cusp of passing a bipartisan jobs package that will make it easier for entrepreneurs and innovators to get the capital they need to build businesses and create jobs.

As I said yesterday, this bill had overwhelming bipartisan support over in the House. Nearly 400 Members voted for it, and the President himself says it will create jobs. He supports it, and he would sign it when we get it to him.

Yet for some reason some in the Democratic-controlled Senate seem intent on slowing it down. Others want to essentially take a step actually backward and undermine a critical provision sponsored by Senators TOOMEY, CARPER, and HUTCHISON included in the House bill, and that was just this week, endorsed by the SEC's Forum on Small Business Capital Formation. The Reed amendment could subject thousands of businesses to SEC regulation unnecessarily, and the Senate should reject it.

So, once again, I ask them to reconsider. Let's put politics aside and pocket this important bipartisan jobs bill.

The JOBS Act is a great example of the type of legislation we should all be able to agree on, and there is simply no good reason for delay. Let's get this

done. Let's get it to the President's desk and have him sign it into law.

HEALTH CARE

Mr. MCCONNELL. Mr. President, yesterday I outlined a number of the broken promises we have seen in connection with the new ObamaCare law: from the promise of being able to keep the plan you have and like, to the promise of protecting Medicare, to the promise of lowering premiums, to the promise of lowering health care costs. Democrats also said taxes would not go up and existing conscience protections would be respected.

Looking back, it seems like there was not anything our Democratic friends, including the President, were not willing to promise in order to get the bill across the finish line. But there is another category of disappointments too; that is, in all the aspects of this bill Democrats did not even talk about before it passed.

We all remember when Speaker PELOSI famously said: We have to pass this bill so we can find out what is in it. One of the things Americans found out about was something called the IPAB—the Independent Payment Advisory Board. This is an unelected, unaccountable board of bureaucrats empowered by this law to make additional cuts to Medicare based on arbitrary cost control targets. As a result of this new board, 15 bureaucrats would now have the power—without any accountability whatsoever—to make changes to Medicare.

What is more, there is no judicial or administrative review of IPAB personnel or recommendations. In other words, they are accountable to no one. IPAB is not answerable to voters, and it cannot be challenged in the courts.

Its main role, as the Wall Street Journal editorial board put it, will be “the inevitable dirty work of denying care”—“the inevitable dirty work of denying care.”

In an effort to control spending, IPAB will limit patient access to medical care. It is that simple and, frankly, it is totally unacceptable.

Republicans recognize the problem with Medicare spending and the need for reform. We also recognize that IPAB is not the answer.

This is just one more reason ObamaCare needs to be repealed and replaced, and that is why even Democrats are cosponsoring a bill to repeal it over in the House, calling it “a flawed policy that will risk beneficiary access to care.” So this is not just a Republican issue; there is strong bipartisan opposition to this new law.

Look, if the President himself does not even want to talk about this law anymore, and even Democrats in the House are sponsoring repeal of parts of their own law, it should be pretty obvious there is a fundamental problem.

We need to reform health care. But this reform made things worse. The evidence and broken promises are all

around us. It is time the President acknowledged it, and it is time the two parties came together and did something about it.

It is time to repeal ObamaCare and replace it with the kind of common-sense reforms Americans want—reforms that actually lower costs and which put health care back in the hands of individuals and their doctors rather than bureaucrats in Washington.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for 1 hour, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half.

The Senator from Iowa is recognized.

AFFORDABLE CARE ACT

Mr. HARKIN. Again, Mr. President, tomorrow we celebrate the second anniversary of the signing of the affordable care act into law. Our Democratic leader, Senator REID, in his opening remarks today, outlined the tremendous progress we have made. I listened to the comments made by our distinguished Republican leader, and all I heard was: Repeal ObamaCare, repeal ObamaCare.

But I never heard what they want to replace it with. They just want to go back to the old system where the insurance companies ran everything before, where people were thrown off their policies because they had an illness, where because of preexisting conditions people could not get health care coverage, where we had this big doughnut hole which we are now closing for the elderly?

The one aspect I want to focus on this morning in my brief time is an extraordinary element of the affordable care act that is not being talked about a lot but which members of the committee I now am privileged to chair, the HELP Committee, worked so hard to include in the affordable care act; that is, the array of provisions that promote wellness, disease prevention, and public health.

Taken together, these provisions have begun to jump-start America's transformation into a genuine wellness society. They are transforming our current sick care system into a true health care system. I have said this many times: We do not have a health care system in America. We have a sick

care system. If people get sick, they get care—one way or the other. But there is very little out there to help people keep healthy and to maintain wellness and to keep them from going to the hospital in the first place. Now, that would be a true health care system, and that is what we have begun to establish with the affordable care act, by preventing chronic diseases, enabling people to stay healthy, and stay out of hospitals in the first place.

Right now in the United States about 75 percent of all our health care spending—75 percent of the Nation's health care spending—is on chronic diseases. Only 4 percent is spent for prevention. So during the last year we have data for—2005—the United States spent about \$2 trillion on health care. Of every \$1 spent, 75 cents went toward treating patients with chronic diseases, many of which are preventable. Only 4 cents went toward prevention. That ought to tell us something right there. That is the old system, and that is the system the Republicans want us to go back to: Spending more and more to treat people after they get sick rather than trying to put something forward to keep people healthy.

Well, in the affordable care act we have tremendous opportunities to again move us to more prevention and wellness. We have made historically new investments in this area of wellness, prevention, and public health. Here is one example of that, as shown on this chart.

Before our health care reform bill, our law, was passed, just take the issue of colorectal cancer screening; we know, if people get it early and detect it early, their chances of survival are tremendous. If people detect it too late, then they are going to be in the hospital, and they are going to have cancer, they are not going to live. But we know, by people getting a colorectal cancer screening early, we can prevent a lot of unnecessary deaths and illnesses and treatments later on.

Cholesterol screening: We know if people get good cholesterol screening, they can get on either a drug or a good diet, an exercise program, reducing the prevalence of heart disease.

Tobacco cessation: Need we keep repeating around here how much it costs our society from the plague of tobacco use?

Well, here is where we were before health care reform, as shown on this chart. About 68 percent were covered for colorectal cancer screenings, about 57 percent were covered for cholesterol screenings, and only 4 percent were covered for tobacco cessation.

After health care reform, now there is 100 percent—100 percent—coverage for colorectal screenings with no copays and deductibles, I might add; 100 percent coverage for cholesterol screenings, and 100 percent coverage for tobacco cessation.

That is prevention, that is wellness, keeping people healthy in the first place. What do the Republicans want?

They want to go back to what it was. We have made too much progress in prevention and wellness to go back to the old ways of just treating people after they get sick.

Now, again, we have been able to promote a lot of activities around the country to promote health and wellness. For example, in Illinois, the State made improvements to its sidewalks and marked crossings to increase student physical activity levels. You might say: Well, big deal.

Well, it is a big deal. Because of these improvements, the number of students who are walking to school has doubled—doubled—and it is expected to save the school system about \$67,000 a year just on bus costs. So kids are healthier and we save money.

In Alabama, Mobile County is using funds from this prevention fund to support tobacco quit lines to help residents live tobacco free—again, under the Tobacco Cessation Program.

Officials enacted a comprehensive smoke-free policy expected to protect 13,000 of their residents—this is in Mobile County, AL—from being exposed to secondhand smoke. All across America, more and more is being invested in prevention. We know that, for example, a 5-percent reduction in the obesity rate—just a 5-percent reduction in the obesity rate—will yield more than \$600 billion in savings on health care costs over 20 years.

Again, our prevention fund is out there getting people the necessary support and information they need to reduce obesity. So with the misguided efforts to repeal the health care reform law, again, most Americans know what is at stake. They are going to lose a lot of these prevention activities that enable us to take charge of our own health care to make sure we get our colonoscopies on time, our mammogram screenings.

Every woman in America now over age 40 gets a free mammogram screening—no copays, no deductibles. The Republicans want to take that away from the women of this country. Colonoscopies, as I said, without copays or deductibles, Republicans want to take that away. Annual physicals. We know a lot of people do not get annual physicals because it costs money. It costs them. Now they can get an annual physical free—no copays, no deductibles. Republicans want to take that away.

Again, I think we have to ask the question—every time I hear the Republicans talking about doing away with ObamaCare or the affordable care act, we have to ask: Are we going to cut short this transformation into a wellness society in preventing diseases, keeping people healthy in the first place? I think the answer is clear. Americans are not going to allow all these hard-earned protections and benefits in the affordable care act to be taken away. We are not going to be dragged backward. We are going to continue our march forward to make

ourselves more healthy. We are not going back to the old system, where only a little over half the people in this country got cholesterol screening, 68 percent got colorectal cancer screening.

We want people to get early screening, early support services for preventive care so they stay healthy. Not only is it going to help our family budgets, it is going to help our Federal budget if we have people healthier and not going to the hospital in the first place. This is one of the big aspects of the affordable care act that is not talked about a lot. But to me it is one of the most important aspects of moving us, again, to a society where we are not just relying on people going to the hospital and paying for high hospital bills and things such as that in the future.

I am going to yield the floor. I just wanted to make those comments about one aspect of the affordable care act. Of course, we do know there are many other benefits in the affordable care act people do not want to lose. Right now, we ban lifetime limits, which helps more than 100 million people. They want to take that away. Republicans want to take that away. We cover vital preventive services, which I just went over; young people remaining on their parents' coverage up to age 26—more than 2.5 million helped so far. Republicans want to take that away. They want to end all that. I do not think the American people want to end it. I think the American people want to move forward with health care reform because we have made too much progress—too much progress in making sure health insurance is affordable, available.

I guess I have just one more thing to say, if my friend from Rhode Island will let me.

Everyone in this Senate body belongs to the Federal Employees Health Benefits Program. Do you know what. We have coverage for preexisting conditions. We have no lifetime bans in our policies. Yet that is what we did. Remember the debate? We wanted to say to the American people: Whatever we have, we want you to have too. We put that in the affordable care act.

The Republicans say: We are going to take that away from the American people but keep it for ourselves. I do not think so. I do not think so. I do not think the American people want to say: You Senators and you Congressmen can keep all that, but you can take it away from all of us. We are not going to do it. We are not going to go backward.

I yield the floor for my distinguished friend from Rhode Island who played such a pivotal role in getting the affordable care act through on our committee and has been one of the more eloquent spokespersons on this health care bill in the last couple years.

The PRESIDING OFFICER (Mr. WARNER). The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. WHITEHOUSE. Let me first congratulate Chairman HARKIN for his remarks today but more than that the work that has preceded today on the health care bill. He was an ardent advocate for the prevention programs that save lives and money. It was a real pleasure to work with him at that time.

Today is the second anniversary of the passage of the affordable care act. I wish to describe how the law is already making a difference for families in Rhode Island and across the country by drastically improving access to higher quality care, by addressing rising health care costs, and by protecting consumers.

Look at the changes. Children with preexisting conditions were denied coverage—no longer. Lifetime limits on insurance policies left many American families struggling to pay medical care bills on their own—no longer. Insurers could cancel coverage for individuals who became sick—no longer.

In addition, the law helps kids just out of school who all too often cannot get that first job with health insurance. It helps them to stay on their parents' insurance policies until age 26. For seniors, prescription drug costs are down as the Medicare doughnut hole begins to close. This is real change, and it hits home in my home State of Rhode Island. I hear from Rhode Islanders and I listen.

I heard from Greg, a father in Providence, who told me about his 16-year-old son Will. Will spends 2 hours every day undergoing treatment to keep his cystic fibrosis in check. In addition to his daily treatment and prescriptions, Will sees a specialist four times a year to monitor the disease. Greg said he often thinks about his son Will's future and whether his son will be able to maintain health insurance coverage and receive the treatment he needs.

Thanks to the affordable care act, Will does not have to worry about insurance companies denying him coverage because he has a preexisting condition or fear that he will have to go without treatment because his medical bills will have pushed him over some arbitrary lifetime limit.

As many as 374,000 Rhode Islanders, including 89,000 children similar to Will, can now receive the treatments they need free from lifetime limits on coverage. People who want to repeal ObamaCare should be ready to look Greg in the eye and tell him why they want to take that away from him and his son.

Olive, a senior from Woonsocket, shared with me that her husband takes several medicines to help treat his Alzheimer's disease. A 3-month supply for

two of his medications costs close to \$1,000. As Olive said: Those months go by quickly. Last year, Olive and her husband fell into the prescription drug doughnut hole in July. Without the affordable care act, they would have been responsible for paying the full cost of his medications out of pocket, but because of health care reform, Olive and her husband received a discount on their prescription drugs and saved \$2,400 last year.

Olive and her husband are 2 of the over 14,800 Rhode Islanders who received a 50-percent discount on brand-name prescription drugs when they hit the doughnut hole. This discount resulted in an average savings of over \$550 per person, for a total savings of more than \$8.2 million for seniors in Rhode Island alone.

People who want to repeal ObamaCare should be ready to look Olive in the eye and tell her why that \$8.2 million should go back into the drug companies' pockets, why she and her husband should have to cough up an extra \$2,400 for the drug companies.

Brianne, a 22-year-old graduate of the University of Rhode Island, currently works part time as a physical therapy aid in Providence. Her job does not offer health insurance. Brianne suffers from several seasonal and food allergies. She makes frequent trips to her allergist. Because of the affordable care act, Brianne can stay on her mother's health insurance so she can continue to get the treatment she needs. Without this coverage, Brianne said, she would be hard-pressed to afford the treatments necessary to address her allergies.

As of June of last year, Brianne was 1 of over 7,500 young adults in Rhode Island who gained insurance coverage as a result of the reform law. People who want to repeal ObamaCare need to explain to Brianne why she and those other 7,500 Rhode Island kids should be kicked off their parents' policy.

The affordable care act has also brought needed relief to employers that are still the leading source of health coverage in the United States. Geoff is a small business owner in Providence. He provides health care insurance for his employees because, as he said, "It's the right thing to do." But the rising costs of his employees' health insurance have placed increased pressure on his business. Geoff's business qualified for the health care law's small business health care tax credit, which covers up to 35 percent of premiums paid by a small business owners for its employees' coverage. These credits are a lifeline for small businesses that are struggling in today's difficult economy and for the people those small businesses employ. People who want to repeal ObamaCare need to look Geoff in the eye and tell him why they want to take away that tax credit lifeline that lets him provide coverage for his employees.

The affordable care act also provided support for community health centers.

In Rhode Island, similar to elsewhere in the country, community health centers fill a critical gap in our health care system, delivering comprehensive, preventive, and primary care to patients, regardless of their ability to pay.

Dennis Roy is the CEO of the East Bay Community Action Program in Rhode Island. He tells me the affordable care act has provided critical support for his community health center's mission. East Bay has received \$3 million through this law to construct a new community health center in Newport which, despite its international reputation, is one of Rhode Island's poorer cities. The new community health center will triple the available patient care space for needy Newport County residents.

To date, Rhode Island community health centers have received \$14.8 million to create new health center sites in medically underserved areas. This is important American infrastructure, and we should not tear it down to make a political point or to assuage a political ideology. These stories are just a few of many that show how the affordable care act is working for Rhode Island families, seniors, and small businesses.

Although we have made great progress, the work continues. Over the last 2 years, a tremendous effort has been made by the health care industry, by State and local leaders, and by the Obama administration to develop a better model of health care delivery, to shift from a system that is disorganized and fragmented to one that is coordinated, is efficient, and delivers the high-quality care Americans deserve.

Private health care providers, such as Geisinger, Intermountain, and the Marshfield Clinic, are already focusing on quality rather than quantity, efficiency rather than volume, to better serve their patients and their bottom line. Because of the affordable care act, the Federal Government now has the opportunity to support and encourage their focus and to deliver much needed savings in the most patient-centered way, by improving the quality of care and health outcomes.

There is tremendous potential for improved care and cost savings in five key areas: payment reform, primary and preventive care, measuring and reporting quality, administrative simplification, and health information technology.

Savings, from a range of responsible viewpoints, run from \$700 billion to \$1 trillion a year, all without compromising the quality of care Americans have come to expect—indeed, likely improving the quality of care.

I will shortly release a report to Chairman HARKIN and the HELP Committee on the Obama administration's implementation of the delivery system reform provisions of the affordable care act. When I say "delivery system reform," I mean those provisions that